

HOUSE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 469

AN ACT

2 To repeal sections 32.056, 43.530, 50.640,  
3 115.157, 454.470, 455.027, 455.075, 455.504,  
4 455.536, 478.610, 483.015, 483.083, 488.2250,  
5 488.2253, 494.425, 511.350, 535.030, 590.653,  
6 595.045, and 595.050, RSMo, and to enact in  
7 lieu thereof twenty-four new sections  
8 relating to court personnel and their duties,  
9 with an expiration date and penalty  
10 provisions.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
12 AS FOLLOWS:

13 Section A. Sections 32.056, 43.530, 50.640, 115.157,  
14 454.470, 455.027, 455.075, 455.504, 455.536, 478.610, 483.015,  
15 483.083, 488.2250, 488.2253, 494.425, 511.350, 535.030, 590.653,  
16 595.045, and 595.050, RSMo, are repealed and twenty-four new  
17 sections enacted in lieu thereof, to be known as sections 32.056,  
18 43.530, 50.640, 115.157, 217.860, 429.011, 454.470, 455.027,  
19 455.075, 455.504, 455.536, 478.610, 483.015, 483.083, 488.2250,  
20 488.2253, 488.5019, 494.425, 511.350, 535.030, 589.313, 590.653,  
21 595.045, and 595.050, to read as follows:

22 32.056. The department of revenue shall not release the

1 home address or any other information contained in the  
2 department's motor vehicle or driver registration records  
3 regarding any person who is a state or federal judge, a state or  
4 federal prosecutor, a county, state or federal parole officer [or  
5 who is], a federal pretrial officer [or who is], a peace officer  
6 pursuant to section 590.100, RSMo, or a member of [the parole  
7 officer's, pretrial officer's or peace officer's] any such  
8 person's immediate family based on a specific request for such  
9 information from any person. Any such person [who is a county,  
10 state or federal parole officer or who is a federal pretrial  
11 officer or who is a peace officer pursuant to section 590.100,  
12 RSMo,] listed in this section may notify the department of such  
13 status and the department shall protect the confidentiality of  
14 the records on such a person and his or her immediate family as  
15 required by this section. This section shall not prohibit the  
16 department from releasing information on a motor registration  
17 list pursuant to section 32.055 or from releasing information on  
18 any officer who holds a class A, B or C commercial driver's  
19 license pursuant to the Motor Carrier Safety Improvement Act of  
20 1999, as amended, 49 U.S.C. 31309.

21 43.530. For each request received by the central  
22 repository, as defined in subdivision (1) of section 43.500, the  
23 requesting entity shall pay a fee of not more than five dollars  
24 per request for criminal history record information and pay a fee

1 of not more than fourteen dollars per request for classification  
2 and search of fingerprints. Each such request shall be limited  
3 to check and search on one individual. Each request shall be  
4 accompanied by a check, warrant, voucher, [or] money order, or  
5 electronic payment payable to the state of Missouri-criminal  
6 record system. The highway patrol may establish procedures for  
7 receiving requests for criminal history record information for  
8 classification and search for fingerprints, from courts and other  
9 entities, and for the payment of such requests. There is hereby  
10 established by the treasurer of the state of Missouri a fund to  
11 be entitled as the "Criminal Record System Fund". Beginning  
12 January 1, 2004, for purposes of obtaining criminal records prior  
13 to issuance of a school bus operator's permit pursuant to section  
14 302.272, RSMo, and for determining eligibility for such permit,  
15 the applicant for such permit shall submit two sets of  
16 fingerprints to the director of revenue when applying for the  
17 permit. The fingerprints shall be collected in a manner approved  
18 by the superintendent of the highway patrol. The school bus  
19 permit applicant shall pay the appropriate fee described in this  
20 section and pay the appropriate fee determined by the Federal  
21 Bureau of Investigation for the federal criminal history record  
22 when he or she applies for the school bus permit. Collections  
23 for records described in this subsection shall be deposited in  
24 the criminal record system fund. Notwithstanding the provisions

1 of section 33.080, RSMo, to the contrary, if the moneys collected  
2 and deposited into this fund are not totally expended annually  
3 for the purposes set forth in section 43.527, the unexpended  
4 moneys in such fund shall remain in the fund and the balance  
5 shall be kept in the fund to accumulate from year to year.

6 50.640. 1. Except as otherwise provided in this section,  
7 all offices, departments, courts, institutions, commissions or  
8 other agencies spending moneys of the county shall perform the  
9 duties and observe the restrictions set forth in sections 50.540  
10 to 50.630 relating to budget procedure and appropriations. The  
11 estimates of the circuit court, including all activities thereof  
12 and of the circuit clerk, shall be transmitted to the budget  
13 officer by the circuit clerk. The estimates of the circuit clerk  
14 shall bear the approval of the circuit court. The budget officer  
15 or the county commission shall not change the estimates of the  
16 circuit court or of the circuit clerk without the consent of the  
17 circuit court or the circuit clerk, respectively, but shall  
18 appropriate in the appropriation order the amounts estimated as  
19 originally submitted or as changed, with their consent.

20 2. If the county governing body deems the estimates of the  
21 circuit court to be unreasonable, the governing body may file a  
22 petition for review with the judicial finance commission on a  
23 form provided by the judicial finance commission after the  
24 estimates are included in the county budget. An amount equal to

1 the difference between the estimates of the circuit court and the  
2 amounts deemed appropriate by the governing body shall be placed  
3 in a separate escrow account, and shall not be appropriated and  
4 expended until a final determination is made by the judicial  
5 finance commission under this subsection. The form provided by  
6 the judicial finance commission shall include an opportunity for  
7 the governing body and the circuit court to state their positions  
8 in a summary fashion. If a petition for review is filed, the  
9 circuit court shall have the burden of convincing the judicial  
10 finance commission that the amount estimated by it and included  
11 in the budget is reasonable. In determining if the circuit court  
12 estimate is reasonable, the judicial finance commission shall  
13 consider the expenditures necessary to support the circuit court  
14 in relation to the expenditures necessary for the administration  
15 of all other county functions, the actual or estimated operating  
16 deficit or surplus from prior years, all interest and debt  
17 redemption charges, all capital projects expenditures, and the  
18 total estimated available revenues from all sources available for  
19 financing the proposed expenditures. In determining the  
20 reasonableness of any budget estimate involving compensation, the  
21 judicial finance commission shall also consider compensation for  
22 county employees with similar duties, length of service and  
23 educational qualifications. The judicial finance commission  
24 shall immediately order a settlement conference to determine if

1 the matter can be resolved before ordering briefs and oral  
2 argument. Hearings and arguments before the judicial finance  
3 commission may be conducted telephonically. The judicial finance  
4 commission, to the maximum extent practicable, shall resolve the  
5 dispute prior to the beginning of the fiscal year in question.  
6 The judicial finance commission shall, if the dispute is not  
7 resolved by the parties, render an opinion on any petition  
8 brought pursuant to this section within one hundred twenty days  
9 of the filing of the petition, provided that if any of the  
10 parties causes an extension beyond the one hundred twenty-day  
11 period, the commission shall be allowed an additional thirty days  
12 to render its opinion. The county governing body may file and  
13 prosecute a petition for review without representation by  
14 counsel.

15 115.157. 1. The election authority may place all  
16 information on any registration cards in computerized form in  
17 accordance with subsection 2 of section 115.158. No election  
18 authority or secretary of state shall furnish to any member of  
19 the public electronic media or printout showing any registration  
20 information, except as provided in this section. Except as  
21 provided in subsection 2 of this section, the election authority  
22 or secretary of state shall make available electronic media or  
23 printouts showing unique voter identification numbers, voters'  
24 names, dates of birth, addresses, townships or wards, and

precincts. Electronic data shall be maintained in at least the following separate fields:

- (1) Voter identification number;
- (2) First name;
- (3) Middle initial;
- (4) Last name;
- (5) Suffix;
- (6) Street number;
- (7) Street direction;
- (8) Street name;
- (9) Street suffix;
- (10) Apartment number;
- (11) City;
- (12) State;
- (13) Zip code;
- (14) Township;
- (15) Ward;
- (16) Precinct;
- (17) Senatorial district;
- (18) Representative district;
- (19) Congressional district.

All election authorities shall enter voter history in their computerized registration systems and shall, not more than six

1 months after the election, forward such data to the centralized  
2 voter registration system established in section 115.158. Except  
3 as provided in subsection 2 of this section, the election  
4 authority shall also furnish, for a fee, electronic media or a  
5 printout showing the names, dates of birth and addresses of  
6 voters, or any part thereof, within the jurisdiction of the  
7 election authority who voted in any specific election, including  
8 primary elections, by township, ward or precinct, provided that  
9 nothing in this chapter shall require such voter information to  
10 be released to the public over the Internet. The amount of fees  
11 charged for information provided in this section shall be  
12 established pursuant to chapter 610, RSMo. All revenues  
13 collected by the secretary of state pursuant to this section  
14 shall be deposited in the state treasury and credited to the  
15 secretary of state's technology trust fund account established  
16 pursuant to section 28.160, RSMo. In even-numbered years, each  
17 election authority shall, upon request, supply the voter  
18 registration list for its jurisdiction to all candidates and  
19 party committees for a charge established pursuant to chapter  
20 610, RSMo. Except as provided in subsection 2 of this section,  
21 all election authorities shall make the information described in  
22 this section available pursuant to chapter 610, RSMo. Any  
23 election authority who fails to comply with the requirements of  
24 this section shall be subject to the provisions of chapter 610,

1 RSMo.

2 2. Any person working as an undercover officer of a local,  
3 state or federal law enforcement agency, persons in witness  
4 protection programs, state or federal judges, state or federal  
5 prosecutors, and victims of domestic violence and abuse who have  
6 received orders of protection pursuant to chapter 455, RSMo,  
7 shall be entitled to apply to the circuit court having  
8 jurisdiction in his or her county of residence to have the  
9 residential address on his or her voter registration records  
10 closed to the public if the release of such information could  
11 endanger the safety of the person. Any person working as an  
12 undercover agent or in a witness protection program shall also  
13 submit a statement from the chief executive officer, as defined  
14 in subsection 2 of section 590.100, RSMo, of the agency under  
15 whose direction he or she is serving. The petition to close the  
16 residential address shall be incorporated into any petition for  
17 protective order provided by circuit clerks pursuant to chapter  
18 455, RSMo. If satisfied that the person filing the petition  
19 meets the qualifications of this subsection, the circuit court  
20 shall issue an order to the election authority to keep the  
21 residential address of the voter a closed record and the address  
22 may be used only for the purposes of administering elections  
23 pursuant to this chapter. The election authority may require the  
24 voter who has a closed residential address record to verify that

1 his or her residential address has not changed or to file a  
2 change of address and to affirm that the reasons contained in the  
3 original petition are still accurate prior to receiving a ballot.  
4 A change of address within an election authority's jurisdiction  
5 shall not require that the voter file a new petition. Any voter  
6 who no longer qualifies pursuant to this subsection to have his  
7 or her residential address as a closed record shall notify the  
8 circuit court. Upon such notification, the circuit court shall  
9 void the order closing the residential address and so notify the  
10 election authority.

11 217.860. 1. There is hereby created within the department  
12 of corrections a "Task Force on Alternative Sentencing". The  
13 primary duty of the task force is to develop a statewide plan for  
14 alternative sentencing programs for nonviolent offenders. The  
15 plan shall include, but not be limited to, the following:

- 16 (1) Public-private partnerships;  
17 (2) Job training;  
18 (3) Job placement; and  
19 (4) Alcohol and drug rehabilitation.

20 2. In developing this statewide plan the task force shall  
21 at a minimum acquire and review the following information:

- 22 (1) The cost per year to incarcerate one nonviolent  
23 offender;  
24 (2) The cost of the proposed alternative sentencing program

1 or programs per year;

2 (3) The estimated number per year, for the past five years,  
3 of incarcerated nonviolent offenders who were eligible to have  
4 been placed on probation had there been in existence a suitable  
5 alternative sentencing program; and

6 (4) A list of the top five cities or regions of the state  
7 which have produced the largest number of nonviolent offenders  
8 for the last five years.

9 3. The task force created in this section shall be  
10 comprised of the following members or their designees:

11 (1) The director;

12 (2) The director of the division of probation and parole;

13 (3) Six probation and parole officers or supervisors, one  
14 from each of the six regions of the state, who shall be appointed  
15 by the director of the division of probation and parole;

16 (4) One member of the department of economic development's  
17 workforce development office who shall be appointed by the  
18 director of the department of economic development;

19 (5) One circuit or associate circuit judge from a circuit  
20 which has a drug court who shall be appointed by the chief  
21 justice of the Missouri supreme court;

22 (6) Three chief executive officers of three different  
23 private businesses that employ a minimum of fifteen employees  
24 each who shall be appointed by the governor; and

1       (7) Two persons who have recently successfully completed  
2 terms of probation, one from each of the two regions of the state  
3 which have had the highest number of nonviolent offenders for the  
4 past five years, who shall be appointed by the director of the  
5 division of probation and parole.

6       4. The task force shall meet at least quarterly and shall  
7 submit its recommendations and statewide plan for an alternative  
8 sentencing program or programs to the governor, to the general  
9 assembly, and to the director by December 31, 2004.

10       5. Members of the task force shall receive no additional  
11 compensation but shall be eligible for reimbursement for expenses  
12 directly related to the performance of task force duties.

13       6. The provisions of this section terminate on May 31,  
14 2005.

15       429.011. As used in this chapter, the term "furnish  
16 machinery" shall include the furnishing of rental equipment,  
17 rental machinery, rental tools, scaffolds and forms to  
18 nonresidential property in an amount in excess of ten thousand  
19 dollars.

20       454.470. 1. [If a court order has not been previously  
21 entered or if a support order has been entered but is not  
22 entitled to recognition pursuant to sections 454.850 to 454.997,]  
23 The director may issue a notice and finding of financial  
24 responsibility to a parent who owes a state debt or who is

1 responsible for the support of a child on whose behalf the  
2 custodian of that child is receiving support enforcement services  
3 from the division pursuant to section 454.425 if a court order  
4 has not been previously entered against that parent or if a  
5 support order from another state has been entered but is not  
6 entitled to recognition pursuant to sections 454.850 to 454.997.

7 A copy of the notice and finding shall be mailed to the last  
8 known address of both parents and any person or agency having  
9 custody of the child within fourteen days of the issuance of such  
10 notice and finding. When appropriate to the circumstances of the  
11 individual action, the notice shall state:

12 (1) The name of the person or agency with custody of the  
13 dependent child and the name of the dependent child for whom  
14 support is to be paid;

15 (2) The monthly future support for which the parent shall  
16 be responsible;

17 (3) The state debt, if any, accrued and accruing, and the  
18 monthly payment to be made on the state debt which has accrued;

19 (4) A statement of the costs of collection, including  
20 attorney's fees, which may be assessed against the parent;

21 (5) That the parent shall be responsible for providing  
22 medical insurance for the dependent child;

23 (6) That if a parent desires to discuss the amount of  
24 support that should be paid, the parent or person having custody

1 of the child may, within twenty days after being served, contact  
2 the division office which sent the notice and request a  
3 negotiation conference. The other parent or person having  
4 custody of the child shall be notified of the negotiated  
5 conference and may participate in the conference. If no  
6 agreement is reached on the monthly amount to be paid, the  
7 director may issue a new notice and finding of financial  
8 responsibility, which may be sent to the parent required to pay  
9 support by regular mail addressed to the parent's last known  
10 address or, if applicable, the parent's attorney's last known  
11 address. A copy of the new notice and finding shall be sent by  
12 regular mail to the other parent or person having custody of the  
13 child;

14 (7) That if a parent or person having custody of the child  
15 objects to all or any part of the notice and finding of financial  
16 responsibility and no negotiation conference is requested, within  
17 twenty days of the date of service the parent or person having  
18 custody of the child shall send to the division office which  
19 issued the notice a written response which sets forth any  
20 objections and requests a hearing; and, that if the director  
21 issues a new notice and finding of financial responsibility, the  
22 parent or person having custody of the child shall have twenty  
23 days from the date of issuance of the new notice to send a  
24 hearing request;

1           (8) That if such a timely response is received by the  
2 appropriate division office, and if such response raises factual  
3 questions requiring the submission of evidence, the parent or  
4 person having custody of the child shall have the right to a  
5 hearing before an impartial hearing officer who is an attorney  
6 licensed to practice law in Missouri and, that if no timely  
7 written response is received, the director may enter an order in  
8 accordance with the notice and finding of financial  
9 responsibility;

10           (9) That the parent has the right to be represented at the  
11 hearing by an attorney of the parent's own choosing;

12           (10) That the parent or person having custody of the child  
13 has the right to obtain evidence and examine witnesses as  
14 provided for in chapter 536, RSMo, together with an explanation  
15 of the procedure the parent or person having custody of the child  
16 shall follow in order to exercise such rights;

17           (11) That as soon as the order is entered, the property of  
18 the parent required to pay support shall be subject to collection  
19 actions, including, but not limited to, wage withholding,  
20 garnishment, liens, and execution thereon;

21           (12) A reference to sections 454.460 to 454.510;

22           (13) That the parent is responsible for notifying the  
23 division of any change of address or employment;

24           (14) That if the parent has any questions, the parent

1 should telephone or visit the appropriate division office or  
2 consult an attorney; and

3 (15) Such other information as the director finds  
4 appropriate.

5 2. The statement of periodic future support required by  
6 subdivision (2) of subsection 1 of this section is to be computed  
7 as follows:

8 (1) If there is sufficient information available to the  
9 division regarding the parent's financial and living situation,  
10 the scale and formula provided for in section 454.480 shall be  
11 used; or

12 (2) If there is insufficient information available to use  
13 the scale and formula, an estimate of ability to pay shall be the  
14 basis of the statement.

15 3. Any time limits for notices or requests may be extended  
16 by the director, and such extension shall have no effect on the  
17 jurisdiction of the court, administrative body, or other entity  
18 having jurisdiction over the proceedings.

19 4. If a timely written response setting forth objections  
20 and requesting a hearing is received by the appropriate division  
21 office, and if such response raises a factual question requiring  
22 the submission of evidence, a hearing shall be held in the manner  
23 provided by section 454.475. If no timely written response and  
24 request for hearing is received by the appropriate division

1 office, the director may enter an order in accordance with the  
2 notice, and shall specify:

3 (1) The amount of periodic support to be paid, with  
4 directions on the manner of payment;

5 (2) The amount of state debt, if any, accrued in favor of  
6 the department;

7 (3) The monthly payment to be made on state debt, if any;

8 (4) The amount of costs of collection, including attorney's  
9 fees, assessed against the parent;

10 (5) The name of the person or agency with custody of the  
11 dependent child and the name and birth date of the dependent  
12 child for whom support is to be paid;

13 (6) That the property of the parent is subject to  
14 collection actions, including, but not limited to, wage  
15 withholding, garnishment, liens, and execution thereon; and

16 (7) If appropriate, that the parent shall provide medical  
17 insurance for the dependent child, or shall pay the reasonable  
18 and necessary medical expenses of the dependent child.

19 5. The parent or person having custody of the child shall  
20 be sent a copy of the order by registered or certified mail,  
21 return receipt requested, addressed to the parent's last known  
22 address or, if applicable, the parent's attorney's last known  
23 address. The order is final, and action by the director to  
24 enforce and collect upon the order, including arrearages, may be

1 taken from the date of issuance of the order. A copy of the  
2 order shall also be sent by regular mail to the person having  
3 custody of a child for whom an order is issued pursuant to this  
4 section.

5 6. Copies of the orders issued pursuant to this section  
6 shall be mailed within fourteen days of the issuance of the  
7 order.

8 7. Any parent or person having custody of the child who is  
9 aggrieved as a result of any allegation or issue of fact  
10 contained in the notice and finding of financial responsibility  
11 shall be afforded an opportunity for a hearing, upon the request  
12 in writing filed with the director not more than twenty days  
13 after service of the notice and finding is made upon such parent  
14 or person having custody of the child, and if in requesting such  
15 hearing, the aggrieved parent or person having custody of the  
16 child raises a factual issue requiring the submission of  
17 evidence.

18 455.027. No filing fees, guardian ad litem fees, court  
19 costs, or bond shall be assessed to the petitioner in an action  
20 commenced pursuant to sections 455.010 to 455.085.

21 455.075. The court may order a [party] respondent to pay a  
22 reasonable amount to the other party for attorney's fees and  
23 guardian ad litem fees incurred prior to the commencement of the  
24 proceeding or after entry of judgment. The court shall consider

1 all relevant factors, including the financial resources of both  
2 parties, and may order that the amount be paid directly to the  
3 attorney or guardian ad litem, who may enforce the order in his  
4 or her name, provided that the petitioner shall not be required  
5 to pay pursuant to any such order.

6 455.504. 1. The clerk of the court shall make available to  
7 the petitioner the uniform forms adopted by the supreme court  
8 pursuant to section 455.073. Except as provided in section  
9 455.510, clerks under the supervision of a circuit clerk shall  
10 explain to litigants not represented by counsel the procedures  
11 for filing all forms and pleadings necessary for the presentation  
12 of their petition filed pursuant to the provisions of sections  
13 455.500 to 455.538 to the court. Notice of the fact that clerks  
14 will provide such assistance shall be conspicuously posted in the  
15 clerks' offices. The location of the office where a petition can  
16 be filed shall be conspicuously posted in the court building.  
17 The performance of duties prescribed in this section shall not  
18 constitute the practice of law as defined in section 484.010,  
19 RSMo. All duties of the clerk prescribed in this section shall  
20 be performed without cost to the litigants. The supreme court  
21 may promulgate rules as necessary to govern conduct of court  
22 clerks under sections 455.500 to 455.538, and shall provide forms  
23 for petitions and written instructions on filling out all forms  
24 and pleadings necessary for the presentation of the petition to

1 the court.

2 2. No filing fees, guardian ad litem fees, court costs, or  
3 bond shall be assessed to the petitioner in an action commenced  
4 under sections 455.500 to 455.538.

5 3. The clerk shall immediately notify the guardian ad litem  
6 or court-appointed special advocate of appointment and shall  
7 provide such guardian or advocate with a copy of the petition for  
8 the order of protection for the child. The clerk shall provide  
9 such guardian or advocate with the names, addresses, and  
10 telephone numbers of the parties within twenty-four hours of  
11 entry of the order appointing the guardian ad litem or  
12 court-appointed special advocate.

13 455.536. The court may order a respondent to pay a  
14 reasonable amount [for the cost to the petitioner of maintaining  
15 any proceeding under sections 455.500 to 455.538 and] for  
16 attorney's fees[, including sums for legal services rendered and  
17 costs] and guardian ad litem fees incurred prior to the  
18 commencement of the proceeding or after entry of judgment. The  
19 court shall consider all relevant factors, including the  
20 financial resources of both parties, and may order that the  
21 amount be paid directly to the attorney or guardian ad litem, who  
22 may enforce the order in his or her name, provided that the  
23 petitioner shall not be required to pay pursuant to any such  
24 order.

1           478.610. 1. There shall be three circuit judges in the  
2           thirteenth judicial circuit consisting of the counties of Boone  
3           and Callaway. These judges shall sit in divisions numbered one,  
4           two and three. Beginning on January 1, 2007, there shall be four  
5           circuit judges in the thirteenth judicial circuit and these  
6           judges shall sit in divisions numbered one, two, three, and four.

7           2. The circuit judge in division two shall be elected in  
8           1980. The circuit judges in divisions one and three shall be  
9           elected in 1982. The circuit judge in division four shall be  
10          elected in 2006 for a two-year term and thereafter in 2008 for a  
11          full six-year term.

12          3. The authority for a majority of judges of the thirteenth  
13          judicial circuit to appoint or retain a commissioner pursuant to  
14          section 478.003 shall expire August 28, 2001. As of such date,  
15          there shall be one additional associate circuit judge position in  
16          Boone County than is provided pursuant to section 478.320.

17          483.015. 1. At the general election in the year 1982, and  
18          every four years thereafter, except as herein provided and except  
19          as otherwise provided by law, circuit clerks shall be elected by  
20          the qualified voters of each county [and of the city of St.  
21          Louis], who shall be commissioned by the governor, and shall  
22          enter upon the discharge of their duties on the first day in  
23          January next ensuing their election, and shall hold their offices  
24          for the term of four years, and until their successors shall be

1       duly elected and qualified, unless sooner removed from office.

2               2.   The court administrator for Jackson County provided by  
3       the charter of Jackson County shall be selected as provided in  
4       the county charter and shall exercise all of the powers and  
5       duties of the circuit clerk of Jackson County.  The director of  
6       judicial administration and the circuit clerk of St. Louis County  
7       shall be selected as provided in the charter of St. Louis County.

8               3.   When provision is made in a county charter for the  
9       appointment of a court administrator to perform the duties of a  
10      circuit clerk or for the appointment of a circuit clerk, such  
11      provisions shall prevail over the provisions of this chapter  
12      providing for a circuit clerk to be elected.  The persons  
13      appointed to fill any such appointive positions shall be paid by  
14      the counties as provided by the county charter or ordinance;  
15      provided, however, that if provision is now or hereafter made by  
16      law for the salaries of circuit clerks to be paid by the state,  
17      the state shall pay over to the county a sum which is equivalent  
18      to the salary that would be payable by law by the state to an  
19      elected circuit clerk in such county if such charter provision  
20      was not in effect.  The sum shall be paid in semimonthly or  
21      monthly installments, as designated by the commissioner of  
22      administration.

23              4.   Except as otherwise provided in this section, the  
24      circuit clerk of any city not within a county shall be appointed

1 by a majority of the circuit judges and associate circuit judges  
2 of the circuit court of such circuit, en banc. The circuit clerk  
3 shall be removable for cause by a majority of the circuit judges  
4 and associate circuit judges of such circuit, en banc, in  
5 accordance with supreme court administrative rules governing  
6 court personnel. This subsection shall become effective on  
7 January 1, 2005, and shall not apply to any elected circuit  
8 clerks in office in any such circuits at that time until the end  
9 of his or her elected term. The persons appointed to fill any  
10 such appointive positions shall be paid by the counties as  
11 provided by the county charter or ordinance; provided, however,  
12 that if provision is now or hereafter made by law for the  
13 salaries of circuit clerks to be paid by the state, the state  
14 shall pay over to the county a sum which is equivalent to the  
15 salary that would be payable by law by the state to an elected  
16 circuit clerk in such county if this section was not in effect.  
17 The sum shall be paid in semimonthly or monthly installments, as  
18 designated by the commissioner of administration. Upon the  
19 effective date of this subsection, sections 36.155 to 36.159,  
20 RSMo, shall apply to all circuit court personnel in any city not  
21 within a county; provided, however, that such employee may  
22 campaign for, be elected to, and hold the office of committee  
23 person for a political party.

24 483.083. 1. In addition to any salary adjustment made

1     prior to August 28, 2003, as provided pursuant to section  
2     476.405, RSMo, each circuit clerk shall annually receive as  
3     compensation the following amounts as base salary:

4             (1) In counties of the first classification, thirty-six  
5     thousand one hundred forty-five dollars; except those counties  
6     where court is held in two cities, in which instance an  
7     additional four thousand dollars shall be added to the base  
8     salary;

9             (2) In all counties of the second or fourth classification,  
10    thirty-one thousand nine hundred seventy-eight dollars; except  
11    those counties where court is held in two cities, thirty-five  
12    thousand five hundred forty-nine dollars;

13            (3) In the counties of the third classification,  
14    twenty-seven thousand two hundred eighteen dollars except those  
15    counties where court is held in two cities; thirty thousand three  
16    hundred eight dollars; except Marion County circuit clerks,  
17    district one and district two in Hannibal, thirty-one thousand  
18    three hundred eighty-three dollars;

19            (4) In the city of St. Louis, sixty-seven thousand three  
20    hundred sixty dollars;

21            (5) The compensation of circuit clerks provided by this  
22    subsection shall annually be increased by an amount equivalent to  
23    the annual salary adjustment approved pursuant to section  
24    476.405, RSMo, for employees of the judicial department.

1           2. Such circuit clerks shall receive in addition to any  
2 salary provided by this section any salary adjustment provided  
3 pursuant to section 476.405, RSMo.

4           3. In the event the judge orders child support payments in  
5 Marion County to be made through the clerk, the clerk shall  
6 annually, on or before February first of each year, charge ten  
7 dollars per year to each such person so obligated to make child  
8 support payments, which fee shall be paid to the state.

9           4. Payment of the compensation provided in this section  
10 shall be payable in equal monthly installments, except that the  
11 salary of the circuit clerk of the city of St. Louis shall be  
12 paid in semimonthly installments and except that all such  
13 compensation paid by the state shall be paid in installments as  
14 provided in section 33.100, RSMo. The compensation of all  
15 circuit clerks shall be paid by the state and they shall be  
16 considered state employees for all purposes except the manner of  
17 their selection, appointment or removal from office; except that,  
18 the circuit clerk of the city of St. Louis, the circuit clerk of  
19 St. Louis County and the court administrator of Jackson County  
20 shall continue to be paid by the city and those counties and  
21 shall not become state employees, but the city of St. Louis, St.  
22 Louis County and Jackson County shall each be paid an amount  
23 which is equivalent to a circuit clerk's salary as provided in  
24 subsection [3] 4 of section 483.015.

1           5. The compensation provided in this section shall be in  
2 lieu of all fees, and all fees collected shall be paid over to  
3 the state or to the counties and the city of St. Louis as  
4 otherwise provided by law.

5           488.2250. 1. For all transcripts of testimony given or  
6 proceedings had in any circuit court, the court reporter shall  
7 receive the sum of [one dollar and fifty cents] two dollars and  
8 twenty-five cents per twenty-five line page for the original of  
9 the transcript, and the sum of [thirty-five] fifty cents per  
10 twenty-five line page for each [carbon] copy thereof; the page to  
11 be approximately eight and one-half inches by eleven inches in  
12 size, with left-hand margin of approximately one and one-half  
13 inches and the right-hand margin of approximately one-half inch;  
14 answer to follow question on same line when feasible; such page  
15 to be designated as a legal page. Any judge, in his or her  
16 discretion, may order a transcript of all or any part of the  
17 evidence or oral proceedings, and the court reporter's fees for  
18 making the same shall be paid by the state upon a voucher  
19 approved by the court, and taxed against the state. In criminal  
20 cases where an appeal is taken by the defendant, and it appears  
21 to the satisfaction of the court that the defendant is unable to  
22 pay the costs of the transcript for the purpose of perfecting the  
23 appeal, the court shall order the court reporter to furnish three  
24 transcripts in duplication of the notes of the evidence, for [the

1 original of] which he or she shall receive [one dollar and fifty]  
2 two dollars and twenty-five cents per [legal] twenty-five line  
3 page and for [the] additional copies [twenty] fifty cents per  
4 page. The payment of court reporter's fees provided in this  
5 section shall be made by the state upon a voucher approved by the  
6 court.

7 2. Beginning January 1, 2004, the amounts a court reporter  
8 shall receive for transcripts described in subsection 1 of this  
9 section shall be increased or decreased on an annual basis,  
10 effective January first of each year, in accordance with the  
11 Implicit Price Deflator for Personal Consumption Expenditures as  
12 published by the Bureau of Economic Analysis of the United States  
13 Department of Commerce. The current value of the limitation  
14 shall be calculated by the director of the department of  
15 insurance, who shall furnish the value to the secretary of state,  
16 who shall publish such value in the Missouri Register each year,  
17 as soon after the first day of January as practical, but shall be  
18 otherwise exempt from the provisions of section 536.021, RSMo.

19 488.2253. In every contested case, or case in which the  
20 evidence is to be preserved, except for the collection of  
21 delinquent or back taxes, before any circuit judge when an  
22 official court reporter is appointed, the clerk of said court  
23 shall tax up the sum of [fifteen] twenty-five dollars, to be  
24 collected as other costs, and paid by said clerk to the director

1 of revenue of the state.

2 488.5019. A surcharge of ten dollars shall be assessed as  
3 costs in each court proceeding filed in any court in the state in  
4 all felony criminal cases involving chapters 195, 565, 566, 569,  
5 570, and 571, RSMo; except that no such surcharge shall be  
6 collected in any proceeding in any court when the proceeding or  
7 the defendant has been dismissed by the court or when costs are  
8 to be paid by the state, county, or municipality.

9 494.425. The following persons shall be disqualified from  
10 serving as a petit or grand juror:

11 (1) Any person who is less than twenty-one years of age;

12 (2) Any person not a citizen of the United States;

13 (3) Any person not a resident of the county or city not  
14 within a county served by the court issuing the summons;

15 (4) Any person who has been convicted of a felony, unless  
16 such person has been restored to his civil rights;

17 (5) Any person unable to read, speak and understand the  
18 English language, unless such person's inability is due to a  
19 vision, speech, or hearing impairment which can be adequately  
20 compensated for through the use of auxiliary aids or services;

21 (6) Any person on active duty in the armed forces of the  
22 United States or any member of the organized militia on active  
23 duty under order of the governor;

24 (7) Any licensed attorney at law;

1           (8) Any judge of a court of record;

2           (9) Any person who, in the judgment of the court or the  
3 board of jury commissioners, is incapable of performing the  
4 duties of a juror because of mental or physical illness or  
5 infirmity.

6           511.350. 1. Judgments and decrees [rendered] entered by  
7 the supreme court, by any United States district or circuit court  
8 held within this state, by any district of the court of appeals,  
9 by any circuit court and any probate division of the circuit  
10 court, except judgments and decrees rendered by associate, small  
11 claims and municipal divisions of the circuit courts, shall be  
12 liens on the real estate of the person against whom they are  
13 [rendered] entered, situate in the county for which or in which  
14 the court is held.

15           2. Judgments and decrees rendered by the associate  
16 divisions of the circuit courts shall not be liens on the real  
17 estate of the person against whom they are rendered until such  
18 judgments or decrees are filed with the clerk of the circuit  
19 court pursuant to sections 517.141 and 517.151, RSMo.

20           3. Judgments and decrees [rendered] entered by the small  
21 claims and municipal divisions of the circuit court shall not  
22 constitute liens against the real estate of the person against  
23 whom they are rendered.

24           4. Notwithstanding any other provision of law, no judgments

1 or decrees entered by any court of competent jurisdiction may be  
2 amended or modified by any administrative agency.

3 535.030. 1. Such summons shall be served as in other civil  
4 cases at least four business days before the court date in the  
5 summons. The summons shall include a court date which shall not  
6 be more than twenty-one business days from the date the summons  
7 is issued unless at the time of filing the affidavit the  
8 plaintiff or plaintiff's attorney consents in writing to a later  
9 date.

10 2. In addition to attempted personal service, the plaintiff  
11 may request, and thereupon the clerk of the court shall make an  
12 order directing that the officer, or other person empowered to  
13 execute the summons, shall also serve the same by securely  
14 affixing a copy of such summons and the complaint in a  
15 conspicuous place on the dwelling of the premises in question at  
16 least ten days before the court date in such summons, and by also  
17 mailing a copy of the summons and complaint to the defendant at  
18 the defendant's last known address by ordinary mail and by  
19 certified mail, return receipt requested, deliver to addressee  
20 only, at least ten days before the court date. If the officer,  
21 or other person empowered to execute the summons, shall return  
22 that the defendant is not found, or that the defendant has  
23 absconded or vacated his usual place of abode in this state, and  
24 if proof be made by affidavit of the posting and of the mailing

1 of a copy of the summons and complaint, the judge shall at the  
2 request of the plaintiff proceed to hear the case as if there had  
3 been personal service, and judgment shall be rendered and  
4 proceedings had as in other cases, except that no money judgment  
5 shall be granted the plaintiff where the defendant is in default  
6 and service is by the posting and mailing procedure set forth in  
7 this section.

8 3. If the plaintiff does not request service of the  
9 original summons by posting and mailing as provided in subsection  
10 2 of this section, and if the officer, or other person empowered  
11 to execute the summons, makes return that the defendant is not  
12 found, or that the defendant has absconded or vacated the  
13 defendant's usual place of abode in this state, the plaintiff may  
14 request the issuance of an alias summons and service of the same  
15 by posting and mailing in the time and manner provided in  
16 subsection 2 of this section. In addition, the plaintiff or an  
17 agent of the plaintiff who is at least eighteen years of age may  
18 serve the summons by posting and mailing a copy of the summons in  
19 the time and manner provided in subsection 2 of this section.  
20 Upon proof by affidavit of the posting and of the mailing of a  
21 copy of the summons or alias summons and the complaint, the judge  
22 shall proceed to hear the case as if there had been personal  
23 service, and judgment shall be rendered and proceedings had as in  
24 other cases, except that no money judgment shall be granted the

1 plaintiff where the defendant is in default and service is by the  
2 posting and mailing procedure provided in subsection 2 of this  
3 section.

4 4. On the date judgment is rendered as provided in this  
5 section where the defendant is in default, the clerk of the court  
6 shall mail to the defendant at the defendant's last known address  
7 by certified mail, with a request for return receipt and with  
8 directions to deliver to the addressee only, a notice informing  
9 the defendant of the judgment and the date it was entered, and  
10 stating that the defendant has ten days from the date of the  
11 judgment to file a motion to set aside the judgment or to file an  
12 application for a trial de novo in the circuit court, as the case  
13 may be, and that unless the judgment is set aside or an  
14 application for a trial de novo is filed within ten days, the  
15 judgment will become final and the defendant will be subject to  
16 eviction from the premises without further notice.

17 589.313. 1. There is hereby created in the state treasury  
18 the "GREAT Fund". The fund shall consist of money collected  
19 pursuant to section 488.5019, RSMo, in addition to money  
20 appropriated by the general assembly, charges, gifts, grants,  
21 bequests from federal, private, or other sources and investment  
22 income on the fund. The provisions of section 33.080, RSMo, to  
23 the contrary notwithstanding, moneys in the GREAT fund shall not  
24 be transferred and placed to the credit of the general revenue

1 fund.

2 2. This fund shall be administered by the department of  
3 public safety in accordance with the provisions of this section.

4 3. The department of public safety and local law  
5 enforcement shall, in conjunction with the department of  
6 elementary and secondary education, develop a "Gang Resistance  
7 Education and Training Program" (GREAT) for school districts  
8 which the department of elementary and secondary education  
9 determines are in need of such programs. GREAT shall be designed  
10 to help children set goals, resolve conflicts without violence,  
11 resist school bullying, and understand how gangs and youth  
12 violence impacts individuals and communities. The funds received  
13 annually by the GREAT fund shall be distributed to the gang  
14 resistance education and training program (GREAT) to be used to  
15 promote the program. The department of public safety and the  
16 department of elementary and secondary education shall work  
17 together to develop criteria for local law enforcement and local  
18 public school districts, working together, to receive funds to  
19 carry out the goals of GREAT.

20 590.653. 1. Each city, county and city not within a county  
21 may establish a civilian review board, or may use an existing  
22 civilian review board which has been appointed by the local  
23 governing body, with the authority to investigate allegations of  
24 misconduct by local law enforcement officers towards members of

1 the public. The members shall not receive compensation but shall  
2 receive reimbursement from the local governing body for all  
3 reasonable and necessary expenses.

4 2. The board shall have the power to receive, investigate,  
5 make findings and recommend disciplinary action upon complaints  
6 by members of the public against members of the police department  
7 that allege misconduct involving excessive use of force, abuse of  
8 authority, discourtesy, or use of offensive language, including,  
9 but not limited to, slurs relating to race, ethnicity, religion,  
10 gender, sexual orientation and disability. The board may  
11 subpoena witnesses, administer oaths, require the production of  
12 books, papers, accounts, documents, and other records or material  
13 of any evidentiary nature, and may examine witnesses in any  
14 investigation or proceeding authorized pursuant to subsection 1  
15 of this section. The findings and recommendations of the board,  
16 and the basis therefor, shall be submitted to the chief law  
17 enforcement official. No finding or recommendation shall be  
18 based solely upon an unsworn complaint or statement, nor shall  
19 prior unsubstantiated, unfounded or withdrawn complaints be the  
20 basis for any such findings or recommendations.

21 595.045. 1. There is established in the state treasury the  
22 "Crime Victims' Compensation Fund". A surcharge of seven dollars  
23 and fifty cents shall be assessed as costs in each court  
24 proceeding filed in any court in the state in all criminal cases

1 including violations of any county ordinance or any violation of  
2 criminal or traffic laws of the state, including an infraction  
3 and violation of a municipal ordinance; except that no such fee  
4 shall be collected in any proceeding in any court when the  
5 proceeding or the defendant has been dismissed by the court or  
6 when costs are to be paid by the state, county, or municipality.  
7 A surcharge of seven dollars and fifty cents shall be assessed as  
8 costs in a juvenile court proceeding in which a child is found by  
9 the court to come within the applicable provisions of subdivision  
10 (3) of subsection 1 of section 211.031, RSMo.

11 2. Notwithstanding any other provision of law to the  
12 contrary, the moneys collected by clerks of the courts pursuant  
13 to the provisions of subsection 1 of this section shall be  
14 collected and disbursed in accordance with sections 488.010 to  
15 488.020, RSMo, and shall be payable to the director of the  
16 department of revenue.

17 3. The director of revenue shall deposit annually the  
18 amount of two hundred fifty thousand dollars to the state  
19 forensic laboratory account administered by the department of  
20 public safety to provide financial assistance to defray expenses  
21 of crime laboratories if such analytical laboratories are  
22 registered with the federal Drug Enforcement Agency or the  
23 Missouri department of health and senior services. Subject to  
24 appropriations made therefor, such funds shall be distributed by

1 the department of public safety to the crime laboratories serving  
2 the courts of this state making analysis of a controlled  
3 substance or analysis of blood, breath or urine in relation to a  
4 court proceeding.

5 4. The remaining funds collected under subsection 1 of this  
6 section shall be denoted to the payment of an annual  
7 appropriation for the administrative and operational costs of the  
8 office for victims of crime and, if a statewide automated crime  
9 victim notification system is established pursuant to section  
10 650.310, RSMo, to the monthly payment of expenditures actually  
11 incurred in the operation of such system. Additional remaining  
12 funds shall be subject to the following provisions:

13 (1) On the first of every month, the director of revenue or  
14 the director's designee shall determine the balance of the funds  
15 in the crime victims' compensation fund available to satisfy the  
16 amount of compensation payable pursuant to sections 595.010 to  
17 595.075, excluding sections 595.050 and 595.055;

18 (2) Beginning on [October 1, 1996, and] September 1, 2003,  
19 on the first of each month[, if the balance of the funds  
20 available exceeds one million dollars plus one hundred percent of  
21 the previous twelve months' actual expenditures, excluding the  
22 immediate past calendar month's expenditures, paid pursuant to  
23 sections 595.010 to 595.075, excluding sections 595.050 and  
24 595.055, then] the director of revenue or the director's designee

1 shall deposit fifty percent of the balance of the funds available  
2 to the credit of the crime victims' compensation fund and fifty  
3 percent to the services to victims' fund established in section  
4 595.100[;

5 (3) Beginning on October 1, 1996, and on the first of each  
6 month, if the balance of the funds available is less than one  
7 million dollars plus one hundred percent of the previous twelve  
8 months' actual expenditures, excluding the immediate past  
9 calendar month's expenditures, paid pursuant to sections 595.010  
10 to 595.075, excluding sections 595.050 and 595.055, then the  
11 director of revenue or the director's designee shall deposit  
12 seventy-five percent to the credit of the crime victims'  
13 compensation fund and twenty-five percent to the services to  
14 victims' fund established in section 595.100].

15 5. The director of revenue or such director's designee  
16 shall at least monthly report the moneys paid pursuant to this  
17 section into the crime victims' compensation fund and the  
18 services to victims fund to the division of workers' compensation  
19 and the department of public safety, respectively.

20 6. The moneys collected by clerks of municipal courts  
21 pursuant to subsection 1 of this section shall be collected and  
22 disbursed as provided by sections 488.010 to 488.020, RSMo. Five  
23 percent of such moneys shall be payable to the city treasury of  
24 the city from which such funds were collected. The remaining

1     ninety-five percent of such moneys shall be payable to the  
2     director of revenue. The funds received by the director of  
3     revenue pursuant to this subsection shall be distributed as  
4     follows:

5           (1) On the first of every month, the director of revenue or  
6     the director's designee shall determine the balance of the funds  
7     in the crime victims' compensation fund available to satisfy the  
8     amount of compensation payable pursuant to sections 595.010 to  
9     595.075, excluding sections 595.050 and 595.055;

10          (2) Beginning on [October 1, 1996, and] September 1, 2003,  
11     on the first of each month[, if the balance of the funds  
12     available exceeds one million dollars plus one hundred percent of  
13     the previous twelve months' actual expenditures, excluding the  
14     immediate past calendar month's expenditures, paid pursuant to  
15     sections 595.010 to 595.075, excluding sections 595.050 and  
16     595.055, then] the director of revenue or the director's designee  
17     shall deposit fifty percent of the balance of the funds available  
18     to the credit of the crime victims' compensation fund and fifty  
19     percent to the services to victims' fund established in section  
20     595.100[;

21          (3) Beginning on October 1, 1996, and on the first of each  
22     month, if the balance of the funds available is less than one  
23     million dollars plus one hundred percent of the previous twelve  
24     months' actual expenditures, excluding the immediate past

1 calendar month's expenditures, paid pursuant to sections 595.010  
2 to 595.075, excluding sections 595.050 and 595.055, then the  
3 director of revenue or the director's designee shall deposit  
4 seventy-five percent to the credit of the crime victims'  
5 compensation fund and twenty-five percent to the services to  
6 victims' fund established in section 595.100].

7 7. These funds shall be subject to a biennial audit by the  
8 Missouri state auditor. Such audit shall include all records  
9 associated with crime victims' compensation funds collected, held  
10 or disbursed by any state agency.

11 8. In addition to the moneys collected pursuant to  
12 subsection 1 of this section, the court shall enter a judgment in  
13 favor of the state of Missouri, payable to the crime victims'  
14 compensation fund, of sixty-eight dollars if the conviction is  
15 for a class A or B felony; forty-six dollars if the conviction is  
16 for a class C or D felony; and ten dollars if the conviction is  
17 for any misdemeanor under the following Missouri laws:

18 (1) Chapter 195, RSMo, relating to drug regulations;

19 (2) Chapter 311, RSMo, but relating only to felony  
20 violations of this chapter committed by persons not duly licensed  
21 by the supervisor of liquor control;

22 (3) Chapter 491, RSMo, relating to witnesses;

23 (4) Chapter 565, RSMo, relating to offenses against the  
24 person;

- 1           (5) Chapter 566, RSMo, relating to sexual offenses;
- 2           (6) Chapter 567, RSMo, relating to prostitution;
- 3           (7) Chapter 568, RSMo, relating to offenses against the
- 4 family;
- 5           (8) Chapter 569, RSMo, relating to robbery, arson, burglary
- 6 and related offenses;
- 7           (9) Chapter 570, RSMo, relating to stealing and related
- 8 offenses;
- 9           (10) Chapter 571, RSMo, relating to weapons offenses;
- 10           (11) Chapter 572, RSMo, relating to gambling;
- 11           (12) Chapter 573, RSMo, relating to pornography and related
- 12 offenses;
- 13           (13) Chapter 574, RSMo, relating to offenses against public
- 14 order;
- 15           (14) Chapter 575, RSMo, relating to offenses against the
- 16 administration of justice;
- 17           (15) Chapter 577, RSMo, relating to public safety offenses.

18 Any clerk of the court receiving moneys pursuant to such  
19 judgments shall collect and disburse such crime victims'  
20 compensation judgments in the manner provided by sections 488.010  
21 to 488.020, RSMo. Such funds shall be payable to the state  
22 treasury and deposited to the credit of the crime victims'  
23 compensation fund.

1           9. The clerk of the court processing such funds shall  
2 maintain records of all dispositions described in subsection 1 of  
3 this section and all dispositions where a judgment has been  
4 entered against a defendant in favor of the state of Missouri in  
5 accordance with this section; all payments made on judgments for  
6 alcohol-related traffic offenses; and any judgment or portion of  
7 a judgment entered but not collected. These records shall be  
8 subject to audit by the state auditor. The clerk of each court  
9 transmitting such funds shall report separately the amount of  
10 dollars collected on judgments entered for alcohol-related  
11 traffic offenses from other crime victims' compensation  
12 collections or services to victims collections.

13           10. The clerks of the court shall report all delinquent  
14 payments to the department of revenue by October first of each  
15 year for the preceding fiscal year, and such sums may be withheld  
16 pursuant to subsection 15 of this section.

17           11. The department of revenue shall maintain records of  
18 funds transmitted to the crime victims' compensation fund by each  
19 reporting court and collections pursuant to subsection 18 of this  
20 section and shall maintain separate records of collection for  
21 alcohol-related offenses.

22           12. Notwithstanding any other provision of law to the  
23 contrary, the provisions of subsections 9 and 10 of this section  
24 shall expire and be of no force and effect upon the effective

1 date of the supreme court rule adopted pursuant to sections  
2 488.010 to 488.020, RSMo.

3 13. The state courts administrator shall include in the  
4 annual report required by section 476.350, RSMo, the circuit  
5 court caseloads and the number of crime victims' compensation  
6 judgments entered.

7 14. All awards made to injured victims under sections  
8 595.010 to 595.105 and all appropriations for administration of  
9 sections 595.010 to 595.105, except sections 595.050 and 595.055,  
10 shall be made from the crime victims' compensation fund. Any  
11 unexpended balance remaining in the crime victims' compensation  
12 fund at the end of each biennium shall not be subject to the  
13 provision of section 33.080, RSMo, requiring the transfer of such  
14 unexpended balance to the ordinary revenue fund of the state, but  
15 shall remain in the crime victims' compensation fund. In the  
16 event that there are insufficient funds in the crime victims'  
17 compensation fund to pay all claims in full, all claims shall be  
18 paid on a pro rata basis. If there are no funds in the crime  
19 victims' compensation fund, then no claim shall be paid until  
20 funds have again accumulated in the crime victims' compensation  
21 fund. When sufficient funds become available from the fund,  
22 awards which have not been paid shall be paid in chronological  
23 order with the oldest paid first. In the event an award was to  
24 be paid in installments and some remaining installments have not

1       been paid due to a lack of funds, then when funds do become  
2       available that award shall be paid in full. All such awards on  
3       which installments remain due shall be paid in full in  
4       chronological order before any other postdated award shall be  
5       paid. Any award pursuant to this subsection is specifically not  
6       a claim against the state, if it cannot be paid due to a lack of  
7       funds in the crime victims' compensation fund.

8           15. When judgment is entered against a defendant as  
9       provided in this section and such sum, or any part thereof,  
10      remains unpaid, there shall be withheld from any disbursement,  
11      payment, benefit, compensation, salary, or other transfer of  
12      money from the state of Missouri to such defendant an amount  
13      equal to the unpaid amount of such judgment. Such amount shall  
14      be paid forthwith to the crime victims' compensation fund and  
15      satisfaction of such judgment shall be entered on the court  
16      record. Under no circumstances shall the general revenue fund be  
17      used to reimburse court costs or pay for such judgment. The  
18      director of the department of corrections shall have the  
19      authority to pay into the crime victims' compensation fund from  
20      an offender's compensation or account the amount owed by the  
21      offender to the crime victims' compensation fund, provided that  
22      the offender has failed to pay the amount owed to the fund prior  
23      to entering a correctional facility of the department of  
24      corrections.

1           16. All interest earned as a result of investing funds in  
2 the crime victims' compensation fund shall be paid into the crime  
3 victims' compensation fund and not into the general revenue of  
4 this state.

5           17. Any person who knowingly makes a fraudulent claim or  
6 false statement in connection with any claim hereunder is guilty  
7 of a class A misdemeanor.

8           18. Any gifts, contributions, grants or federal funds  
9 specifically given to the division for the benefit of victims of  
10 crime shall be credited to the crime victims' compensation fund.  
11 Payment or expenditure of moneys in such funds shall comply with  
12 any applicable federal crime victims' compensation laws, rules,  
13 regulations or other applicable federal guidelines.

14           595.050. 1. From funds appropriated for services to  
15 victims of crime, the director may contract with public or  
16 private agencies to provide assistance to victims of crime  
17 through direct services, emergency services, crisis intervention  
18 counseling and victim advocacy. Any such contract may consist  
19 solely of, or may include, educational and informational services  
20 to the public about the availability of services for victims of  
21 crime which are designed to alleviate the results of criminal  
22 acts. Under no circumstances shall the expenditures from general  
23 revenue for the purpose provided in this section exceed the  
24 amount of ninety thousand dollars each fiscal year.

1           2. The director shall ensure that funds administered under  
2           section 595.055, section 595.105 and this section will not be  
3           used by any agency to supplant existing funds which are presently  
4           being used to provide assistance to victims of crime. This  
5           restriction shall not apply to funds used by any not-for-profit  
6           agency.

7           3. Each contract shall be subject to review by the director  
8           at least annually.

9           Section B. The provisions of sections 488.5019 and 589.313  
10          of section A of this act shall terminate on December 31, 2008.